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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO**

MALIBU MEDIA, LLC,  
  
Plaintiff,

vs.

JOHN DOE subscriber assigned IP address  
71.198.90.46,  
  
Defendant.

Case Number: 3:16-cv-6239-WHA

**NOTICE OF RENEWED MOTION AND**  
**EX-PARTE MOTION FOR LEAVE TO**  
**SERVE A THIRD PARTY SUBPOENA**  
**PRIOR TO A RULE 26(f) CONFERENCE**

Date: Thursday, February 23, 2017  
Time: 8:00 AM  
Place: Courtroom 8 – 19<sup>th</sup> Floor  
Honorable Judge William H. Alsup

**NOTICE TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that on Thursday, February 23, 2017 at 8:00 AM, in Courtroom 8 - 19<sup>th</sup> Floor located at 450 Golden Gate Avenue, San Francisco, CA 94102, or as soon thereafter as counsel may be heard, Plaintiff, Malibu Media, LLC will and hereby does move the Court for leave to issue a third party subpoena on Defendant's Internet Service Provider to identify Defendant prior to a Fed. R. Civ. P. 26(f) conference.

This motion is based upon this notice of motion and motion, the memorandum of points and authorities, and upon the attached: (1) Declaration of Colette Pelissier in support of this motion, (2) Declaration of Patrick Paige in support of this motion, (3) Declaration of Tobias Fieser in support of this motion; (4) Declaration of Erin Sinclair in support of this motion; (5)

1 Declaration of Henrik Mosesi in support of this motion, upon all pleadings and evidence on file  
2 in this matter, and upon such additional evidence or arguments as may be accepted by the Court  
3 at or prior to hearing.

4 Respectfully submitted,

5 By: /s/ Henrik Mosesi  
6 Henrik Mosesi, Esq.  
7 LAW OFFICE OF HENRIK MOSESI  
8 Attorney for Plaintiff  
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